

move to bring to a close debate on the nomination of Executive Calendar No. 9, Gina R. Mendez-Miro, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Charles E. Schumer, Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Lujan, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jack Reed, Jeanne Shaheen, Benjamin L. Cardin, Edward J. Markey, Alex Padilla, Margaret Wood Hassan, Catherine Cortez Masto.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Gina R. Mendez-Miro, of Puerto Rico, to be United States District Judge for the District of Puerto Rico, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from New Mexico (Mr. HEINRICH), and the Senator from California (Mr. PADILLA) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 52, nays 44, as follows:

[Rollcall Vote No. 10 Ex.]

YEAS—52

Baldwin	Hickenlooper	Sanders
Bennet	Hirono	Schatz
Blumenthal	Kaine	Schumer
Booker	Kelly	Shaheen
Brown	King	Sinema
Cantwell	Klobuchar	Smith
Cardin	Lujan	Stabenow
Carper	Manchin	Tester
Casey	Markey	Van Hollen
Collins	Menendez	Warner
Coons	Merkley	Warnock
Cortez Masto	Murkowski	Warren
Duckworth	Murphy	Welch
Durbin	Murray	Whitehouse
Feinstein	Ossoff	Wicker
Gillibrand	Peters	Wyden
Graham	Reed	
Hassan	Rosen	

NAYS—44

Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeven	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Young
Fischer	Paul	

NOT VOTING—4

Barrasso	Heinrich
Fetterman	Padilla

The PRESIDING OFFICER (Ms. SMITH). The yeas are 52, the nays are 44.

The motion is agreed to.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFIRMATION OF DEANDREA  
GIST BENJAMIN

Mr. DURBIN. Madam President, I rise to speak on the confirmation of DeAndrea Benjamin to a South Carolina seat on the Fourth Circuit Court of Appeals.

Judge Benjamin has had a prominent career as both a litigator and as a jurist. She received degrees from Winthrop University and the University of South Carolina School of Law before clerking for Judge L. Casey Manning on South Carolina's Fifth Judicial Circuit. She then joined the South Carolina Fifth Judicial Circuit's solicitor's office as a State prosecutor and also served as a county juvenile drug court liaison. She later joined the South Carolina Attorney General's Office and was named the State Violence Against Women Prosecutor. In this role, she prosecuted cases statewide where violence was perpetrated against women and children. Judge Benjamin entered private practice after 3 years of public service and focused on employment law, including workplace discrimination claims. In 2004, she became a municipal judge for the city of Columbia, South Carolina. Seven years later, the South Carolina General Assembly elected her to serve as a circuit court judge in South Carolina's Fifth Judicial Circuit.

As a practicing attorney, Judge Benjamin appeared in both State and Federal court and tried 21 cases to verdict. In her time on the bench, she has presided over thousands of matters involving both civil and criminal issues, including over 300 trials.

Judge Benjamin has significant experience in the courtroom and was unanimously rated "qualified" by the American Bar Association. In addition, she has deep ties to the South Carolina legal community and enjoys bipartisan support, including from her Republican home-State Senators.

I strongly supported her nomination and was glad to see her confirmed.

SENATE COMMITTEE ON RULES  
AND ADMINISTRATION RULES OF  
PROCEDURE

Ms. KLOBUCHAR. Mr. President, the Committee on Rules and Administration has adopted rules governing its procedures for the 118th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf

of myself and Senator FISCHER, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE  
MEETINGS OF THE COMMITTEE

Rule 1. The regular meeting dates of the Committee shall be the second and fourth Wednesdays of each month, at 10:00 a.m., in room SR-301, Russell Senate Office Building. Additional meetings of the Committee may be called by the Chair as he or she may deem necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

Rule 2. Meetings of the Committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (a) through (f) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the Members of the Committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings:

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if:

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under the provisions of law or Government regulations. (Paragraph 5(b) of rule XXVI of the Standing Rules.)

Rule 3. Written notices of Committee meetings will normally be sent by the Committee's staff director to all Members of the Committee at least a week in advance. In addition, the Committee staff will telephone or e-mail reminders of Committee meetings to all Members of the Committee or to the appropriate assistants in their offices.

Rule 4. A copy of the Committee's intended agenda enumerating separate items of legislative business and Committee business will normally be sent to all Members of the Committee and released to the public at least 1 day in advance of all meetings. This does not

preclude any Member of the Committee from discussing appropriate non-agenda topics.

Rule 5. After the Chair and the Ranking Minority Member, speaking order shall be based on order of arrival, alternating between Majority and Minority Members, unless otherwise directed by the Chair.

Rule 6. Any witness who is to appear before the Committee in any hearing shall file with the clerk of the Committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the Chair may direct, unless the Chair and the Ranking Minority Member waive such requirement for good cause.

Rule 7. In general, testimony will be restricted to 5 minutes for each witness. The time may be extended by the Chair, upon the Chair's own direction or at the request of a Member. Each round of questions by Members will also be limited to 5 minutes.

#### QUORUMS

Rule 8. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, a majority of the Members of the Committee shall constitute a quorum for the reporting of legislative measures.

Rule 9. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, one-third of the Members of the Committee shall constitute a quorum for the transaction of business, including action on amendments to measures prior to voting to report the measure to the Senate.

Rule 10. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 Members of the Committee shall constitute a quorum for the purpose of taking testimony under oath and 1 Member of the Committee shall constitute a quorum for the purpose of taking testimony not under oath; provided, however, that in either instance, once a quorum is established, any one Member can continue to take such testimony.

Rule 11. Under no circumstances may proxies be considered for the establishment of a quorum.

#### VOTING

Rule 12. Voting in the Committee on any issue will normally be by voice vote.

Rule 13. If a third of the Members present so demand a roll call vote instead of a voice vote, a record vote will be taken on any question by roll call.

Rule 14. The results of roll call votes taken in any meeting upon any measure, or any amendment thereto, shall be stated in the Committee report on that measure unless previously announced by the Committee, and such report or announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each Member of the Committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

Rule 15. Proxy voting shall be allowed on all measures and matters before the Committee. However, the vote of the Committee to report a measure or matter shall require the concurrence of a majority of the Members of the Committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a Member's position on the question and then only in those instances when the absentee Committee Member has been informed of the question and has affirmatively requested that he or she be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

#### AMENDMENTS

Rule 16. Provided at least five business days' notice of the agenda is given, and the text of the proposed bill or resolution has

been made available at least five business days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and by at least 5:00 p.m. the day prior to the scheduled start of the meeting and circulated to each of the offices by at least 6:00pm.

Rule 17. In the event the Chair introduces a substitute amendment or a Chair's mark, the requirements set forth in Rule 16 shall be considered waived unless such substitute amendment or Chair's mark has been made available at least five business days in advance of the scheduled meeting.

Rule 18. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

Rule 19. This section of the rule may be waived by agreement of the Chair and the Ranking Minority Member.

#### DELEGATION OF AUTHORITY TO COMMITTEE CHAIR

Rule 20. The Chair is authorized to personally sign or sign by delegation all necessary vouchers and routine papers for which the Committee's approval is required and to decide on the Committee's behalf all routine business.

Rule 21. The Chair is authorized to engage commercial reporters for the preparation of transcripts of Committee meetings and hearings.

Rule 22. The Chair is authorized to issue, on behalf of the Committee, regulations normally promulgated by the Committee at the beginning of each session.

#### DELEGATION OF AUTHORITY TO COMMITTEE CHAIR AND RANKING MINORITY MEMBER

Rule 23. The Chair and Ranking Minority Member, acting jointly, are authorized to approve on behalf of the Committee any rule or regulation for which the Committee's approval is required, provided advance notice of their intention to do so is given to Members of the Committee.

Rule 24. The Chair, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of correspondence, books, papers, documents, and other materials. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When a subpoena is authorized, either by a vote of the Committee or by the Chair with the concurrence of the Ranking Member, the subpoena may be issued upon the signature of the Chair or of any other Member of the Committee designated by the Chair.

#### PENNSYLVANIA BLACK HISTORY MONTH HONOREES

Mr. CASEY. Madam President, every year, it is my privilege, during Black History Month, to honor Black Pennsylvanians who have made particularly notable contributions to their communities and the Commonwealth of Pennsylvania. I rise today to pay tribute to this year's honorees and to commend their deep commitment to service. This year's theme is "Inspiring a Bold and Bright Future." Several individuals we honor have been laboring in their communities for generations, while we are also honoring a younger generation of Pennsylvanians who have already

brought about positive change in their communities. We have chosen to honor both those in the dawn of their service and those who are well established in that service to highlight the generational and sustained nature of this work and to emphasize the enduring relationships between our older heroes and those who come behind them to take up the mantle of justice work and community empowerment.

HETTIE SIMMONS LOVE—SOUTH CENTRAL PENNSYLVANIA

In 1947, a young African-American woman, Hettie Simmons, graduated from the Wharton School of Business at the University of Pennsylvania with her MBA in accounting, becoming the first African-American to do so. While Hettie never had the opportunity to pursue a career in the same manner afforded to other graduates of Wharton, she continued to forge a path where she could apply her talents for the benefit of others. While she has recently been discovered late in life as a "hidden figure," to many in central Pennsylvania, she is an accomplished community leader clearing a path for those who came after her.

Hettie Simmons was born in Jacksonville, FL, and attended Fisk University, a historically Black college or university—HBCU—in Tennessee where she majored in math. After graduating from Fisk in 1943, her desire for better opportunities for her future led her to apply for admission to Penn's Wharton School.

Unable to pursue a career with her Wharton degree, Hettie Simmons Love, newly married and living in Philadelphia, applied her academic skills in community settings, serving as treasurer in several organizations and, after the family moved to Harrisburg in 1971, serving as the church treasurer at St. Paul's Episcopal Church for over 20 years.

Hettie also lent her business acumen to three different Black-owned businesses in the Harrisburg area, serving as a bookkeeper and offering suggestions for operational improvements. In her early eighties, Hettie Simmons Love was still volunteering to help seniors with their income tax forms. Hettie is also a long-time member of her sorority, volunteering for decades and becoming a diamond member of Alpha Kappa Alpha Sorority, Inc., in 2016 for having been a member for 75 years.

In December 2016, Hettie was awarded a Trailblazer award from the National African-American MBA Association for being the first African-American graduate student to earn her MBA degree from the Wharton School. The current Dean of the Wharton School, Dean Ericka James, the first African-American dean of the school, had the honor of meeting Hettie and presenting her with a certificate acknowledging the historic significance of Hettie's achievement.

Now 100 years young, Hettie Simmons Love continues to thrive, serving